

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

FRANK LOUIS MILES *et al.*,

Plaintiffs,

v.

ELDON VAIL *et al.*,

Defendants

Case No. C06-5319FDB

ORDER DENYING
PLAINTIFF'S MOTION
FOR AN EXTENSION
OF TIME TO CONDUCT
DISCOVERY

This 42 U.S.C. § 1983 Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrates' Rules MJR 1, MJR 3, and MJR 4. Before the court is plaintiff's motion asking for a sixty-day extension of time to conduct discovery (Dkt. # 11).

On September 18, 2006, the court entered a scheduling order that gave the parties six months to conduct discovery (Dkt. # 10). Plaintiffs now make general non specific allegations that discovery has not occurred or responses were inadequate (Dkt. # 11). Plaintiffs make no showing that further discovery is needed. Nor do plaintiffs inform the court what additional information they hope to

ORDER

1 obtain through discovery (Dkt. # 11).

2 Defendants respond and state that no conference or meeting regarding discovery has taken
3 place and counsel for defendants was not informed plaintiff's believed any discovery response was
4 inadequate or incomplete (Dkt. # 12). Defendants do not oppose a continuance, but ask that all
5 dates on the scheduling order be moved back (Dkt. # 12). Defense counsel states that plaintiffs have
6 served several rounds of discovery and plaintiffs have received answers to their fourth set of
7 interrogatories and fifth request for production of documents (Dkt. # 12).

8 Plaintiffs have not shown good cause for a continuance. Plaintiff's have not shown that
9 further discovery is warranted in this action. The motion is **DENIED**.

10 The Clerk of Court is directed to send a copy of this Order to plaintiffs and to counsel for
11 defendants.

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13 DATED this 22, day of March, 2007.

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15 /S/ J. Kelley Arnold
16 J. Kelley Arnold
United states Magistrate Judge
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28 ORDER